

Exhibit “A”

THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

CIVIL ACTION STCV20-00267
FILE NO:

JURY TRIAL DEMANDED

COMPLAINT AND DEMAND FOR TRIAL BY JURY

COMES NOW Plaintiff Brandon Elrod, and states his complaint against Defendants as follows:

1.

Plaintiff Brandon Elrod is a resident of the State of Georgia.

2.

Defendant Southeastern Paper Group, Inc. (hereinafter "Defendant Southeastern") is a domestic for profit corporation authorized to do business in the State of Georgia with a principle place of business in Spartanburg South, Carolina, Georgia and may be served by service of the Summons and Complaint upon registered agent for service of National Registered Agents, Inc., 289 South Culver Street, Lawrenceville, Gwinnett County, Georgia 30045.

3.

Defendants XYZ Corp. Nos. 1 through 20, whose identities and whereabouts are currently unknown, are subject to the jurisdiction and venue of this Court. Defendants XYZ Corp. Nos. 1 through 20 will be named and served with Summons and Complaint once their respective identities are revealed.

4.

Defendant James Valentine is a citizen and resident of the State of Florida, whose last known residence is 11423 Kittrell Lane, Whitehouse, Duval County, Florida 32220. Defendant Valentine is subject to the jurisdiction of this Court and may be served by personal service of the Summons and Complaint at that address.

5.

Defendant Valentine is subject to jurisdiction and venue under the Non-Resident Motorist Act and/or the Georgia Long Arm Statute.

6.

Venue as to Defendants is proper in Chatham County, Georgia.

7.

On March 18, 2019, Plaintiff Elrod was driving his 2006 Chevrolet 1500 in a prudent and careful manner in Georgia.

8.

At or about that same time, Defendant Valentine was driving a white 2014 panel truck owned by Defendant Southeastern Paper Group, Inc. and/or Defendant XYZ Corp. Nos 1 through 20 (hereinafter "the corporate Defendants") when Defendant Valentine negligently, recklessly, carelessly and unlawfully operated said vehicle so as to cause it to collide with Plaintiff's vehicle.

9.

At all relevant times, Defendant Valentine owed certain civil duties to Plaintiff, and, notwithstanding those duties, Defendant Valentine did violate them.

10.

Defendant violations of the aforementioned duties of care constitute negligence and negligence *per se*.

11.

At all relevant times, Defendant Valentine was an agent and/or employee of the corporate Defendants.

12.

At the time of the wreck in question, Defendant Valentine was acting within the course and scope of his employment and/or agency relationship with the corporate Defendants.

13.

The corporate Defendants are vicariously liable for the negligence of Defendant Valentine under the doctrine of *respondeat superior*.

14.

At all relevant times the corporate Defendants negligently hired, trained, and retained Defendant Valentine.

15.

The corporate Defendants negligently entrusted the vehicle to Defendant Valentine.

16.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendant Valentine, Plaintiff Brandon Elrod suffered substantial injuries and damages including medical and other necessary expenses, mental and physical pain and suffering due to the injuries to his body and nervous system, personal inconvenience, plus an inability to lead a

normal life. As a result of the subject collision, Plaintiff Brandon Elrod has incurred in excess of \$381,740.29 in past medical expenses, as well as any lost wages incurred by Plaintiff as a result of subject crash.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

(a) That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiff's Complaint;

(b) That service be had upon Defendants as provided by law;

(c) That Plaintiff have and recover general damages from such Defendants, as the jury deems are liable to Plaintiff, and in such an amount as the jury deems just and appropriate to fully and completely compensate Plaintiff for all of her injuries and pain and suffering, mental, physical, and emotional, past, present, and future;

(d) That Plaintiffs have and recover from Defendant, special damages for past and future medical expenses and loss of income in the past and future in such an amount as shall be proven at trial;

(e) That this matter be tried to a jury;

(f) That all costs be cast against the Defendants;

(g) For such other and further relief as this Court deems just and appropriate.

This 12TH Day of February, 2020.

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
Phone: (912) 443-1036
Fax: (912) 443-1192
mhilt@forthepeople.com

Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff

**THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

BRANDON ELROD,

Plaintiff,

v.

**SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,**

Defendants.

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**CIVIL ACTION STCV20-00267
FILE NO:**

JURY TRIAL DEMANDED

RULE 5.2 CERTIFICATE OF SERVICE

This is to certify that pursuant to Uniform Court Rule 5.2, I have served upon all Defendants in the foregoing matter with a copy of the following:

- 1. SUMMON'S TO UM INSURANCE**
- 2. PLAINTIFF'S COMPLAINT**
- 3. PLAINTIFF'S FIRST INTERROGATORIES AND REQUEST FOR PRODUCTION OF
DOCUMENTS TO UM INSURANCE**

This 12th Day of February, 2020.

/s/Matthew L. Hilt

Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
Phone: (912) 443-1036
Fax: (912) 443-1192
mhilt@forthepeople.com

THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,)	
)	
Plaintiff,)	
v.	)	CIVIL ACTION STCV20-00267
	)	FILE NO:
SOUTHEASTERN PAPER GROUP, INC.,)	
XYZ CORP. NOS 1 THROUGH 20, and	)	JURY TRIAL DEMANDED
JAMES E. VALENTINE,)	
)	
Defendants.)	

RULE 5.2 CERTIFICATE OF SERVICE

This is to certify that pursuant to Uniform Court Rule 5.2, I have served upon all Defendants in the foregoing matter with a copy of the following:

1. PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT JAMES E. VALENTINE;
2. PLAINTIFF'S FIRST INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT JAMES E. VALENTINE;

This 12TH Day of February, 2020.

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
Phone: (912) 443-1036
Fax: (912) 443-1192
mhilt@forthepeople.com

/s/Matthew L. Hilt
Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff

IN STATE COURT OF CHATHAM COUNTY
STATE COURT

BRANDON ELROD,

Plaintiff,

v.

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP, NOS 1 THROUGH 20, AND
JAMES E. VALENTINE,

Defendants.

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CIVIL ACTION FILE
NO.: STCV20-00267

**ANSWER AND CROSS-CLAIM OF
PROGRESSIVE MOUNTAIN INSURANCE COMPANY**

COMES NOW Progressive Mountain Insurance Company (hereinafter referred to as “Progressive”), pursuant to O.C.G.A. § 33-7-1, and without submitting to the jurisdiction of the Court and without waiving any of its rights, but expressly reserving such rights, including but not limited to its right to answer and/or defend this case in the name of the individual Defendant, files this Answer and Cross-Claim as follows:

FIRST DEFENSE

Plaintiff's Complaint fails to state a claim upon which relief can be granted and the same should be dismissed.

SECOND DEFENSE

Progressive states and pleads by reference any and all defenses which could be raised by the named Defendants, including, but not limited to, the defense of lack of personal jurisdiction, improper venue, laches, insufficiency of service of process, insufficiency of process, statute of

limitations, comparative fault, contributory negligence and all defenses contained in O.C.G.A. § 9-11-12 (b), § 9-11-8 (c), and Title 51 of the Georgia Code, as may be applicable.

THIRD DEFENSE

Progressive is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs one (1) through sixteen (16) of Plaintiff's Complaint, and the prayers of Plaintiff's Complaint, and accordingly, said paragraphs and the prayers are deemed denied.

FOURTH DEFENSE

To the extent that other uninsured motorist coverage exists that will require the insurer to pay benefits to the Plaintiff, the Plaintiff is precluded from recovering uninsured motorist coverage from Progressive in this action if such other uninsured motorist coverage is primary.

FIFTH DEFENSE

Progressive is entitled to offset against any verdict that may be returned in favor of the Plaintiff all other monies paid or payable by Progressive Mountain Insurance Company to the Plaintiff arising out of this accident, if any.

SIXTH DEFENSE

Progressive Mountain Insurance Company is entitled to offset against any verdict that may be returned in favor of the Plaintiff all other monies paid or payable by any provider of liability insurance coverage to the Defendants.

CROSS-CLAIM

In the event that any Defendant is determined to be an uninsured motorist as contemplated by Georgia law, and in the event that judgment is entered against such Defendant and Progressive is required to pay uninsured motorist insurance benefits to Plaintiff, then

Progressive is subrogated to all rights of the Plaintiff against such Defendant. Progressive is entitled to and demands judgment against each such Defendant for such sums of money Progressive is required to pay, if any.

WHEREFORE, having answered Plaintiff's Complaint, Progressive Mountain Insurance Company prays:

1. For judgment in its favor;
2. For a trial by jury of twelve persons;
3. For judgment on its Cross Claim against each appropriate Defendant in the amount of such sums as Progressive is required to pay; and
4. For such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Hugh M. Worsham, Jr.
Hugh M. Worsham, Jr.
Georgia Bar No.: 776725
Attorney for Progressive Mountain Insurance
Company

Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, GA 30006
(912) 447-3977
Electronic Service email: GAEfile@Progressive.com
Attorney email address: hworsham@progressive.com

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2020 a copy of the **Answer and Cross-Claim** was served upon all parties via electronic service or by depositing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to ensure delivery to:

Matthew L. Hilt, Esq.
Morgan & Morgan, P.A.
25 Bull St., Suite 400
Savannah, GA 31401

/s/ Hugh M. Worsham, Jr.
Hugh M. Worsham, Jr.
Georgia Bar No.: 776725
Attorney for Progressive Mountain Insurance
Company

Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, GA 30006
(912) 447-3977
Electronic Service email: GAEfile@Progressive.com
Attorney email address: hworsham@progressive.com

IN STATE COURT OF CHATHAM COUNTY
STATE COURT

BRANDON ELROD,

Plaintiff,

v.

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP, NOS 1 THROUGH 20, AND
JAMES E. VALENTINE,

Defendants.

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CIVIL ACTION FILE
NO.: STCV20-00267

CERTIFICATE OF SERVICE OF DISCOVERY

Pursuant to Uniform Rule 5.2(2), this is to certify that all other parties to this action were served with copies of the following documents:

1. Progressive Mountain Insurance Company's First Interrogatories to Plaintiff;
2. Progressive Mountain Insurance Company's First Request for Production of Documents to Plaintiff;

Said service was made via electronic service or by depositing a copy of same in an envelope with sufficient first class postage affixed thereto to ensure delivery into the United States Mail addressed as follows:

Matthew L. Hilt, Esq.
Morgan & Morgan, P.A.
25 Bull St., Suite 400
Savannah, GA 31401

This Tuesday, March 24, 2020.

/s/ Hugh M. Worsham, Jr.
Hugh M. Worsham, Jr.
Georgia Bar No.: 776725
Attorney for Progressive Mountain Insurance
Company

Worsham, Corsi, Scott & Dobur

P.O. Box 674027

Marietta, GA 30006

(912) 447-3977

Electronic Service email: GAFile@Progressive.com

Attorney email address: hworsham@progressive.com

IN STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP, NOS 1 THROUGH 20, AND
JAMES E. VALENTINE,

Defendants.

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CIVIL ACTION FILE
NO.: STCV20-00267

CERTIFICATE OF SERVICE OF DISCOVERY

Pursuant to Uniform Rule 5.2(2), this is to certify that all other parties to this action were served with copies of the following documents:

Progressive Mountain Insurance Company's Answers to Plaintiff's First Interrogatories and Responses to Plaintiff's First Request for Production of Documents

Said service was made by electronic service or by depositing a copy of same in an envelope with sufficient first class postage affixed thereto to ensure delivery into the United States Mail addressed as follows:

Matthew L. Hilt, Esq.
Morgan & Morgan, P.A.
25 Bull St, Ste 400
Savannah, GA 31401

This 8th day of April, 2020.

/s/ Hugh M. Worsham, Jr.

Hugh M. Worsham, Jr.

Georgia Bar No: 776725

Attorney for Progressive Mountain Insurance Co.

Worsham, Corsi, Scott & Dobur

P.O. Box 674027
Marietta, GA 30006
(912) 447-3977
hworsham@progressive.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

DEFENSES AND ANSWER OF DEFENDANT JAMES VALENTINE

COMES NOW James Valentine., (hereinafter “Defendant”), Defendant in the above-styled civil action, and responds with these Defenses and Answer to Plaintiff’s Complaint as follows:

FIRST DEFENSE

No alleged breach of any duty by this Defendant was the proximate cause of Plaintiff’s alleged damages.

SECOND DEFENSE

This Defendant shows that, even if he breached some duty to the Plaintiff, there intervened between such alleged breach of duty by this Defendant and the alleged damage to Plaintiff, the unforeseen acts or omissions of other persons or entities such that any claim against this Defendant is barred.

THIRD DEFENSE

Plaintiff’s alleged injuries and damages may have been caused by the acts or omissions of persons or entities other than this Defendant.

FOURTH DEFENSE

Defendant shows that Plaintiff has a duty to mitigate any alleged damages.

FIFTH DEFENSE

Defendant raises the defense of improper venue and personal jurisdiction.

SIXTH DEFENSE

This Defendant responds to the numbered paragraphs of Plaintiff's Complaint as follows

1.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 1 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

2.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 2 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

3.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 3 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

4.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 4 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

5.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 5 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

6.

Denied as to this Defendant. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 6 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

7.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 7 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

8.

Answering Paragraph 8, Defendant admits he was driving a 2014 panel truck that collided with the Plaintiff's vehicle. Defendant denies he was reckless and careless in operating the vehicle. Otherwise, Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 8 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

9.

Answering Paragraph 9, Defendant admits he owed duties in accordance with Georgia law, and denies any allegations inconsistent therewith. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 9 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

10.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 10 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

11.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 11 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

12.

Answering Paragraph 12, Defendant admits he was operating under Defendant Southeastern's motor carrier authority in the course and scope of employment. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 12 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

13.

Answering Paragraph 13, Defendant admits he was operating under its motor carrier authority and the doctrine of respondeat superior applies. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 13 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

14.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 14 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

15.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 15 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

16.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 16 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

PRAYER FOR RELIEF

Any allegations of the Complaint not heretofore specifically admitted are denied.

WHEREFORE, having fully answered, this Defendant prays for judgment in his favor.

THIS DEFENDANT DEMANDS TRIAL BY TWELVE PERSON JURY ON ANY ISSUES THAT REQUIRE JURY DETERMINATION.

Respectfully submitted this 12th day of August, 2020.

DREW ECKL & FARNHAM, LLP

/s/ Gwendolyn D. Havlik

Stevan A. Miller

Georgia Bar No. 508375

Gwendolyn D. Havlik

Georgia Bar No. 574891

303 Peachtree Street, NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: smiller@deflaw.com
E-mail: ghavlik@deflaw.com
Attorneys for Defendant
9869526/1
00001-100011

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a copy of *DEFENSES AND ANSWER OF DEFENDANT JAMES VALENTINE* upon counsel for all parties by filing with Odyssey, which will automatically deliver electronic notification to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street
Suite 400
Savannah, Georgia 31401

This 12th day of August, 2020.

/s/ Gwendolyn D. Havlik
Gwendolyn D. Havlik
Georgia Bar No. 574891

303 Peachtree St. NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant
9869526/1
00001-100011

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

DEFENSE AND ANSWER OF DEFENDANT SOUTHEASTERN PAPER GROUP, INC.

COMES NOW Southeastern Paper Group, Inc., (hereinafter “Defendant”), Defendant in the above-styled civil action, and responds with these Defenses and Answer to Plaintiff’s Complaint as follows:

FIRST DEFENSE

No alleged breach of any duty by this Defendant was the proximate cause of Plaintiff’s alleged damages. Defendant further states that it is not vicariously liable for damages not proximately caused by the subject accident.

SECOND DEFENSE

This Defendant shows that, even if it breached some duty to the Plaintiff, there intervened between such alleged breach of duty by this Defendant and the alleged damage to Plaintiff, the unforeseen acts or omissions of other persons or entities such that any claim against this Defendant is barred.

THIRD DEFENSE

Plaintiff’s alleged injuries and damages may have been caused by the acts or omissions of persons or entities other than this Defendant.

FOURTH DEFENSE

Defendant shows that Plaintiff has a duty to mitigate any alleged damages.

FIFTH DEFENSE

Defendant raises the defense of improper venue.

SIXTH DEFENSE

This Defendant responds to the numbered paragraphs of Plaintiff's Complaint as follows

1.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 1 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

2.

Answering Paragraph 2, Defendant denies that it is a domestic corporation. Defendant admits the remaining allegations in Paragraph 2.

3.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 3 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

4.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 4 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

5.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 5 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

6.

Denied as to this Defendant. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 6 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

7.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 7 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

8.

Answering Paragraph 8, Defendant denies it owned the truck operated by Defendant Valentine, and denies Valentine was reckless or careless in operating the vehicle. Defendant admits Valentine collided with Plaintiff's vehicle. Otherwise, Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 8 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

9.

Answering Paragraph 9, Defendant admits Valentine owed duties in accordance with Georgia law, and denies any allegations inconsistent therewith. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 9 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

10.

Answering Paragraph 10, this Defendant denies it breached any duty to Plaintiff. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 10 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

11.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 11 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

12.

Answering Paragraph 12, Defendant admits Valentine was operating under its motor carrier authority in the course and scope of employment. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 12 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

13.

Answering Paragraph 13, Defendant admits Valentine was operating under its motor carrier authority and the doctrine of respondeat superior applies. Defendant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations contained in Paragraph 13 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

14.

Defendant denies the allegations of Paragraph 14.

15.

Defendant denies the allegations of Paragraph 15.

16.

Defendant is without sufficient information or knowledge to form a belief as to the truth of the allegations contained in Paragraph 16 of Plaintiff's Complaint, and, therefore, can neither admit nor deny the same.

PRAYER FOR RELIEF

Any allegations of the Complaint not heretofore specifically admitted are denied.

WHEREFORE, having fully answered, this Defendant prays for judgment in its favor.

THIS DEFENDANT DEMANDS TRIAL BY TWELVE PERSON JURY ON ANY ISSUES THAT REQUIRE JURY DETERMINATION.

Respectfully submitted this 12th day of August, 2020.

DREW ECKL & FARNHAM, LLP

/s/ Gwendolyn D. Havlik

Stevan A. Miller

Georgia Bar No. 508375

Gwendolyn D. Havlik

Georgia Bar No. 574891

303 Peachtree Street, NE, Suite 3500

Atlanta, Georgia 30308

Telephone: (404) 885-1400

Facsimile: (404) 876-0992

E-mail: smiller@deflaw.com

E-mail: ghavlik@deflaw.com

Attorneys for Defendant

9869526/1

00001-100011

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am counsel for Defendant Southeastern Paper Group Inc. and that I have this day served a copy of *Defenses and Answer of Defendant Southeastern Paper Group Inc.*, upon counsel for all parties by filing with Odyssey, which will automatically deliver electronic notification to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street
Suite 400
Savannah, Georgia 31401

This 12th day of August, 2020.

/s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

Georgia Bar No. 574891

303 Peachtree St. NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant

IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: SUCV2020000516

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROGUH 20, and
JAMES E. VALENTINE,
Defendants.

RULE 5.2 CERTIFICATE

I HEREBY CERTIFY that I have this day served copies of the within and foregoing
Defendant James E. Valentine's Objections and Responses to Plaintiff's First Request for
Admissions and Defendant Southeastern Paper Group, Inc.'s Objections and Responses to
Plaintiff's First Request for Admissions upon all parties to this matter via STATUTORY
ELECTRONIC SERVICE:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401

This 12th day of August, 2020.

/s/ Gwendolyn D. Havlik
Gwendolyn D. Havlik
Georgia Bar No. 574891

303 Peachtree St. NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendants

IN THE STATE COURT OF CHATHAM COUNTY
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BRANDON ELROD,

Plaintiff,

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Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

RULE 5.2 CERTIFICATE

I HEREBY CERTIFY that I am counsel for Defendant Southeastern Paper Group Inc. and that I have this day served copies of *DEFENDANT SOUTHEASTERN PAPER GROUP, INC.'S FIRST CONTINUING INTERROGATORIES TO PLAINTIFF* and *DEFENDANT SOUTHEASTERN PAPER GROUP, INC.'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF* upon counsel via STATUTORY ELECTRONIC SERVICE to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401

Hugh M. Worshan, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006

This 14th day of August, 2020.

/s/ Gwendolyn D. Havlik
Gwendolyn D. Havlik
Georgia Bar No. 574891

303 Peachtree St. NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
E-mail: ghavlik@deflaw.com
Attorneys for Defendant

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**IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA**

BRANDON ELROD,

Plaintiff,

VS.

**SOUTHEASTERN PAPER GROUP,
INC., XYZ CORP. NOS. 1-20, and
JAMES E. VALENTINE,**

Defendants.

CIVIL ACTION

FILE NO.: STCV20-00267

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **ENTRY OF APPEARANCE AND SUBSTITUTION OF COUNSEL** with the Clerk of Court using the Odyssey eFileGA system and will send e-mail notification of such filing to the following attorneys of record:

MATTHEW L. HILT, ESQ.
MORGAN & MORGAN
25 Bull St., Ste. 400
Savannah, GA 31401
mhilt@forthepeople.com
Counsel for Plaintiff

GWENDOLYN HAVLIK, ESQ.
DREW, ECKL & FARNHAM
303 Peachtree St. NE, Ste. 3500
Atlanta, GA 30308
ghavlik@deflaw.com
*Counsel for Defendant Southeastern
Paper Group, Inc.*

This 14th day of August, 2020.

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
(404) 881-2630 (Fax)
cterrett@cmlawfirm.com
zpatorgis@cmlawfirm.com

s/ Alexander Patorgis
CRAIG P. TERRETT
 Georgia Bar No. 702410
J. ROBB CRUSER
 Georgia Bar No. 199480
ALEXANDER PATORGIS
 Georgia Bar No. 178538
Counsel for Defendant Valentine

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am counsel for Plaintiff Brandon Elrod and that I have this day served a copy of *PLAINTIFF'S RESPONSE TO DEFENDANT SOUTHEASTERN PAPER GROUP, INC.'S FIRST CONTINUING INTERROGATORIES AND REQUEST FOR PRODUCTION* upon counsel via STATUTORY ELECTRONIC SERVICE to the following counsel of record:

Gwendolyn D. Havlik
303 Peachtree Street, NE, Suite 3500
Atlanta, Georgia 30308

Hugh M. Worshan, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006

This 21 day of September, 2020.

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
Phone: (912) 443-1036
Fax: (912) 443-1192
mhilt@forthepeople.com

/s/Matthew L. Hilt
Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

RULE 5.2 CERTIFICATE

I HEREBY CERTIFY that I am counsel for Defendant Southeastern Paper Group Inc. and
that I served copies of the following:

1. Defendant's *Request for Production of Documents* to Verizon Wireless; and
2. Defendant's *Request for Production of Documents* to Perry Roof, LLC

upon counsel via STATUTORY ELECTRONIC SERVICE to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401
Attorney for Plaintiff

Craig P. Terrett
J. Robb Cruser
Alexander Patorgis
Cruser, Mitchell, Movitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
Attorneys for James E. Valentine

Hugh M. Worshan, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006
Attorney for Progressive Mountain Insurance Company

This 14th day of October, 2020.

/s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

Georgia Bar No. 574891

303 Peachtree St. NE, Suite 3500

Atlanta, Georgia 30308

Telephone: (404) 885-1400

E-mail: ghavlik@deflaw.com

Attorneys for Defendant

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

RULE 5.2 CERTIFICATE

I HEREBY CERTIFY that I am counsel for Defendant Southeastern Paper Group Inc. and
that on October 13, 2020 I served copies of the following:

1. Defendant's *Request for Production of Documents* to Spine Center of Savannah;
2. Defendant's *Request for Production of Documents* to Atlanta Radiology Associates;
3. Defendant's *Request for Production of Documents* to Effingham Rehab Services;
4. Defendant's *Request for Production of Documents* to Georgia Emergency Physician
Services;
5. Defendant's *Request for Production of Documents* to Immediate Med Savannah;
6. Defendant's *Request for Production of Documents* to Memorial University Medical
Center;
7. Defendant's *Request for Production of Documents* to Optim Orthopaedics of
Savannah;
8. Defendant's *Request for Production of Documents* to Richmond Hill Family Care;
9. Defendant's *Request for Production of Documents* to Savannah Medical Group; and
10. Defendant's *Request for Production of Documents* to Chatham Orthopaedic Associates

upon counsel via STATUTORY ELECTRONIC SERVICE to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401
Attorney for Plaintiff

Craig P. Terrett
J. Robb Cruser
Alexander Patorgis
Cruser, Mitchell, Movitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
Attorneys for James E. Valentine

Hugh M. Worshan, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006
Attorney for Progressive Mountain Insurance Company

This 14th day of October, 2020.

/s/ Gwendolyn D. Havlik
Gwendolyn D. Havlik
Georgia Bar No. 574891

303 Peachtree St. NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
E-mail: ghavlik@deflaw.com
Attorneys for Defendant

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

vs.

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

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CIVIL ACTION

FILE NO. STCV20-00267

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day electronically filed a copy of the within and foregoing **CERTIFICATE OF SERVICE (DEFENDANT JAMES E. VALENTINE'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES)** with the Clerk of Court using the Odyssey eFileGA system which will send e-mail notification of such filing to the following counsel of record:

MATTHEW L. HILT, ESQ.
MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, GA 31401
mhilt@forthepeople.com
Counsel for Plaintiff

GWENDOLYN D. HAVLIK, ESQ.
DREW ECKL & FARNHAM, LLP
303 Peachtree Street, NE, Ste. 3500
Atlanta, GA 30308
ghavlik@deflaw.com
Counsel for Southeastern Paper Group, Inc.

HUGH M. WORSHAM, JR., ESQ.
WORSHAM CORSI SCOTT & DOBUR
P.O. Box 674027
Marietta, GA 30006
hworsham@progressive.com
Counsel for Progressive

This 13th day of November, 2020.

275 Scientific Drive
Meridian II, Suite 2000
Peachtree Corners, GA 30092
(404) 881-2622
(404) 881-2630 (Fax)
cterrett@cmlawfirm.com
zpatorgis@cmlawfirm.com

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

s/ Alexander Patorgis

ROBB CRUSER

Georgia Bar No. 199480

CRAIG P. TERRETT

Georgia Bar No. 702410

ALEXANDER PATORGIS

Georgia Bar No. 178538

Attorneys for Defendant Valentine

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

vs.

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

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CIVIL ACTION

FILE NO. STCV20-00267

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day electronically filed a copy of the within and foregoing **CERTIFICATE OF SERVICE (DEFENDANT JAMES E. VALENTINE'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS)** with the Clerk of Court using the Odyssey eFileGA system which will send e-mail notification of such filing to the following counsel of record:

MATTHEW L. HILT, ESQ.
MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, GA 31401
mhilt@forthepeople.com
Counsel for Plaintiff

GWENDOLYN D. HAVLIK, ESQ.
DREW ECKL & FARNHAM, LLP
303 Peachtree Street, NE, Ste. 3500
Atlanta, GA 30308
ghavlik@deflaw.com
Counsel for Southeastern Paper Group, Inc.

HUGH M. WORSHAM, JR., ESQ.
WORSHAM CORSI SCOTT & DOBUR
P.O. Box 674027
Marietta, GA 30006
hworsham@progressive.com
Counsel for Progressive

This 13th day of November, 2020.

275 Scientific Drive
Meridian II, Suite 2000
Peachtree Corners, GA 30092
(404) 881-2622
(404) 881-2630 (Fax)
cterrett@cmlawfirm.com
zpatorgis@cmlawfirm.com

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

s/ Alexander Patorgis

ROBB CRUSER

Georgia Bar No. 199480

CRAIG P. TERRETT

Georgia Bar No. 702410

ALEXANDER PATORGIS

Georgia Bar No. 178538

Attorneys for Defendant Valentine

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD, §
§
Plaintiff, §
§ CIVIL ACTION
vs. §
§ FILE NO.: STCV20-00267
§
SOUTHEASTERN PAPER GROUP, §
§
INC., XYZ CORP. NOS. 1-20, and §
§
JAMES E. VALENTINE, §
§
Defendants. §
§
§

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the undersigned has this day electronically filed the within and foregoing **CERTIFICATE OF SERVICE (DEFENDANT JAMES E. VALENTINE’S FIRST SUPPLEMENTAL INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS UNDER O.C.G.A. § 9-11-34 AND NOTICE TO PRODUCE AT TRIAL UNDER O.C.G.A § 24-13-27 TO PLAINTIFF)** with the Clerk of Court using the Odyssey eFile GA system which will automatically send e-mail notification of such filing to the following attorneys of record:

MATTHEW L. HILT, ESQ.
MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, GA 31401
mhilt@forthepeople.com
Counsel for Plaintiff

GWENDOLYN D. HAVLIK, ESQ.
DREW ECKL & FARNHAM, LLP
303 Peachtree Street, NE, Ste. 3500
Atlanta, GA 30308
ghavlik@deflaw.com
Counsel for Southeastern Paper Group, Inc.

HUGH M. WORSHAM, JR., ESQ.
WORSHAM CORSI SCOTT & DOBUR
P.O. Box 674027
Marietta, GA 30006
hworsham@progressive.com
Counsel for Progressive

This 14th day of December, 2020.

Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
(404) 881-2622
(404) 881-2630 (Fax)
cterrett@cmlawfirm.com
zpatorgis@cmlawfirm.com

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

s/ Alexander Patorgis
CRAIG P. TERRETT
Georgia Bar No. 702410
J. ROBB CRUSER
Georgia Bar No. 199480
ALEXANDER PATORGIS
Georgia Bar No. 178538
Counsel for Defendant Valentine

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

vs.

**SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,**

Defendants.

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CIVIL ACTION

FILE NO. STCV20-00267

RULE 5.2 CERTIFICATE OF SERVICE

This is to certify that pursuant to Uniform Court Rule 5.2, due and legal service, pursuant to O.C.G.A. § 9-11-5, I have served upon all counsel of record in the foregoing matter a copy of the following:

1. Plaintiff's Response to Defendant James E. Valentine's First Request for Admission to Plaintiff; and
2. Plaintiff's Response to Defendant James E. Valentine's First Supplemental Interrogatories and First Supplemental Requests for Production of Documents to Plaintiff.

Said service was made via statutory electronic service as follows:

Craig P. Terrett
J. Robb Cruser
Alexander Patorgis
Cruser, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
cterrett@cmlawfirm.com

zpatorgis@cmlawfirm.com

Attorneys for Defendant Valentine

Gwendolyn D. Havlik

Drew Eckl & Farnham, LLP

303 Peachtree Street, NE, Suite 3500

Atlanta, GA 30308

ghavlik@deflaw.com

Attorneys for Southeastern Paper Group, Inc.

Hugh M. Worsham, Jr.

Worsham, Corsi, Scott & Dobur

P.O. Box 674027

Marietta, GA 30006

hworsham@progressive.com

Attorneys for Progressive

This 12th day of January, 2021.

MORGAN & MORGAN

25 Bull Street, Suite 400

Savannah, Georgia 31401

T: (912) 443-1020

F: (912) 443-1180

mhilt@forthepeople.com

/S/Matthew L. Hilt

Matthew L. Hilt

Georgia State Bar No. 355405

Attorney for Plaintiff

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

NOTICE OF VIRTUAL DEPOSITION OF PLAINTIFF

COMES NOW Defendant Southeastern Paper Group, Inc., by and through their undersigned counsel, and, pursuant to the Georgia Rules of Civil Procedure, give notice that the undersigned will proceed to take the following deposition before an officer duly authorized by law to administer oaths:

Deponent:	Date/Time:	Location:
Brandon Elrod	January 26, 2021 at 10:00 a.m. EST	Remote Virtual Deposition

The deposition will continue from day to day until completed, subject to such adjournment as may be agreed upon by counsel. This deposition is being taken for the purpose of discovery, cross examination and preservation of evidence, impeachment, for use at trial and for all other purposes that may be legally permissible, continuing from day to day until completion.

NOTICE IS FURTHER GIVEN that we reserve the right to conduct this deposition utilizing the secure web-based deposition option afforded by Veritext or in the alternative video teleconferencing (VTC) services offered by Veritext (“Web Deposition”) or telephonically only

to provide remote access for those parties wishing to participate in the deposition via the internet and/or telephone. Also take notice that, the court reporter may also be remote via one of the options above for the purposes of reporting the proceeding and may or may not be in the presence of the deponent. Please contact the noticing attorney at least five (5) calendar days prior to the deposition to advise that it is your desire to appear via this remote participating means so that the necessary credentials, call-in numbers, testing and information, if necessary, can be provided to you prior to the proceedings. In addition, we also reserve the right to utilize instant visual display technology such that the court reporter's writing of the proceeding will be displayed simultaneous to their writing of same on one's laptop, iPad, tablet or other type of display device connected to the court reporter.

Plaintiff is required by this Notice to be present for the taking of his deposition.

Respectfully submitted this 13th day of January, 2021.

DREW ECKL & FARNHAM, LLP

/s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

Georgia Bar No. 574891

DREW ECKL & FARNHAM, LLP
303 Peachtree Street, NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties of record with a copy of the foregoing *Notice of Virtual Deposition of Plaintiff* via the Court's electronic file system, which will automatically deliver electronic notification to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401
Attorney for Plaintiff

Craig P. Terrett
J. Robb Cruser
Alexander Patorgis
Cruser, Mitchell, Movitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
Attorneys for James E. Valentine

Hugh M. Worshan, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006
Attorney for Progressive Mountain Insurance Company

This 13th day of January, 2021.

/s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

Georgia Bar No. 574891

DREW ECKL & FARNHAM, LLP
303 Peachtree Street, NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STSV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

RULE 5.2 CERTIFICATE

I HEREBY CERTIFY that I have this day served copies of the foregoing Defendant's
Request for Production of Documents to Non-Party Clarity Clinical Laboratory and Defendant's
Request for Production of Documents to Non-Party Savannah Counseling Services on all parties
to this matter via STATUTORY ELECTRONIC SERVICE addressed to the following counsel
of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401

Craig P. Terrett
J. Robb Cruser
Alexander Patorgis
Cruser, Mitchell, Movitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092

Hugh M. Worshan, Jr.
Worshan, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006

This 22nd day of January, 2021.

/s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

Georgia Bar No. 574891

DREW ECKL & FARNHAM, LLP
303 Peachtree Street NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant
Southeastern Paper Group, Inc.

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STCV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

RULE 5.2 CERTIFICATE

I HEREBY CERTIFY that I am counsel for Defendant Southeastern Paper Group, Inc.
and that on January 28, 2021 I served copies of the foregoing

1. Defendant's *Request for Production of Documents to Non-Party* Advanced Rx Management, Inc.;
2. Defendant's *Request for Production of Documents to Non-Party* Coastal Imaging;
3. Defendant's *Request for Production of Documents to Non-Party* CVS Pharmacy;
4. Defendant's *Request for Production of Documents to Non-Party* One Call Medical;
5. Defendant's *Request for Production of Documents to Non-Party* Pooler Imaging Center;
6. Defendant's *Request for Production of Documents to Non-Party* West Rehab Services; and
7. Defendant's *Request for Production of Documents to Non-Party* Curtis V. Cooper Primary Health Care

on all parties to this matter via STATUTORY ELECTRONIC SERVICE addressed to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street
Suite 400
Savannah, Georgia 31401

Hugh M. Worsham, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006

Craig P. Terrett
J. Robb Cruser
Alexander Patorgi
Cruser, Mitchell, Movitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092

This 29th day of January, 2021.

/s/ Gwendolyn D. Havlik
Gwendolyn D. Havlik
Georgia Bar No. 574891

DREW ECKL & FARNHAM, LLP
303 Peachtree Street NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant Southeastern Paper Group, Inc.

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

ELROD, BRANDON,)	
)	
Plaintiff,)	
vs.	)	CIVIL ACTION
	)	FILE NO: STCV20-00267
SOUTHEASTERN PAPER GROUP,)	
JAMES VALENTINE, and)	
XYZ CORPORATION (NOS 1-20))	
)	
Defendants.)	

PLAINTIFF'S AMENDED NOTICE OF DEPOSITION OF JAMES VALENTINE

PLEASE TAKE NOTICE that the Plaintiff will take the deposition on oral examination of JAMES VALENTINE, on the 19th day of February, 2021, beginning at **2:00 p.m.**, either at the Cruser, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP located at 275 Scientific Drive, Meridian II, Suite 2000, Peachtree Corners, Georgia 30092, or taken electronically via Zoom Teleconference. The deposition will be taken in the presence of an officer duly authorized to administer oaths. The deposition will be taken pursuant to O.C.G.A. § 9 11 30 and Georgia law.

This 2nd day of February, 2021.

/s/Matthew L. Hilt
Matthew L. Hilt
Georgia Bar No. 355405
Attorney for Plaintiff

MORGAN & MORGAN, P.A.
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1020
F: (912) 443-1180
mhilt@forthepeople.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

ELROD, BRANDON,)	
)	
Plaintiff,)	
vs.	)	CIVIL ACTION
	)	FILE NO: STCV20-00267
SOUTHEASTERN PAPER GROUP,)	
JAMES VALENTINE, and)	
XYZ CORPORATION (NOS 1-20))	
)	
Defendants.)	

RULE 5.2 CERTIFICATE OF SERVING DISCOVERY

Plaintiff hereby certifies that a true and correct copy of the **Plaintiff's Amended Notice of Zoom Deposition of James Valentine** was delivered to the following parties by U.S. Mail.

Attorneys for Defendant Valentine
Craig P. Terrett
J. Robb Cruser
Alexander Patorgis
Gwendolyn Dralle Havlik
Stevan A. Miller
Cruser, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092

Attorney for Southeastern Paper Group, Inc.
Gwendolyn D. Havlik
Stevan A. Miller
Drew Eckl & Farnham, LLP
303 Peachtree Street, NE, Suite 3500
Atlanta, GA 30308

Attorney for Progressive
Hugh M. Worsham, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, GA 30006

(Signature and date on the following page).

This 2nd day of February, 2021.

/s/Matthew L. Hilt
Matthew L. Hilt
Georgia Bar No. 355405
Attorney for Plaintiff

MORGAN & MORGAN, P.A.
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1020
F: (912) 443-1180
mhilt@forthepeople.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STCV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

NOTICE OF VIRTUAL DEPOSITION OF PLAINTIFF

COMES NOW Defendant Southeastern Paper Group, Inc., by and through their undersigned counsel, and, pursuant to the Georgia Rules of Civil Procedure, give notice that the undersigned will proceed to take the following deposition before an officer duly authorized by law to administer oaths:

Deponent:	Date/Time:	Location:
Brandon Elrod	February 19, 2021 at 11:00 a.m. EST	Remote Virtual Deposition

The deposition will continue from day to day until completed, subject to such adjournment as may be agreed upon by counsel. This deposition is being taken for the purpose of discovery, cross examination and preservation of evidence, impeachment, for use at trial and for all other purposes that may be legally permissible, continuing from day to day until completion.

NOTICE IS FURTHER GIVEN that we reserve the right to conduct this deposition utilizing the secure web-based deposition option afforded by Veritext or in the alternative video teleconferencing (VTC) services offered by Veritext (“Web Deposition”) or telephonically only

to provide remote access for those parties wishing to participate in the deposition via the internet and/or telephone. Also take notice that, the court reporter may also be remote via one of the options above for the purposes of reporting the proceeding and may or may not be in the presence of the deponent. Please contact the noticing attorney at least five (5) calendar days prior to the deposition to advise that it is your desire to appear via this remote participating means so that the necessary credentials, call-in numbers, testing and information, if necessary, can be provided to you prior to the proceedings. In addition, we also reserve the right to utilize instant visual display technology such that the court reporter's writing of the proceeding will be displayed simultaneous to their writing of same on one's laptop, iPad, tablet or other type of display device connected to the court reporter.

Plaintiff is required by this Notice to be present for the taking of his deposition.

Respectfully submitted this 17th day of February, 2021.

DREW ECKL & FARNHAM, LLP

/s/ Gwendolyn D. Havlik

Gwendolyn D. Havlik

Georgia Bar No. 574891

DREW ECKL & FARNHAM, LLP
303 Peachtree Street, NE, Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
E-mail: ghavlik@deflaw.com
Attorneys for Defendant

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

v.

Civil Action File No: STCV20-00267

SOUTHEASTERN PAPER GROUP, INC.,
XYZ CORP. NOS 1 THROUGH 20, and
JAMES E. VALENTINE,

Defendants.

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties of record with a copy of the foregoing *Notice of Virtual Deposition of Plaintiff* via the Court's electronic file system, which will automatically deliver electronic notification to the following counsel of record:

Matthew L. Hilt
Morgan & Morgan
25 Bull Street, Suite 400
Savannah, Georgia 31401
Attorney for Plaintiff

Craig P. Terrett
J. Robb Crusier
Alexander Patorgis
Crusier, Mitchell, Movitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
Attorneys for James E. Valentine

Hugh M. Worshan, Jr.
Worshan, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, Georgia 30006
Attorney for Progressive Mountain Insurance Company

THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO: <u>STCV20-00267</u>
)	
SOUTHEASTERN PAPER GROUP, INC.;)	
<u>TRILLIUM DRIVERS SOLUTIONS, INC.;</u>)	
and XYZ CORPORATIONS (NOS 1-19);)	
and JAMES E. VALENTINE,)	
)	
Defendants.)	

AMENDED COMPLAINT AND DEMAND FOR TRIAL BY JURY

COMES NOW Plaintiff Brandon Elrod, and states his complaint against Defendants as follows:

1.

Plaintiff Brandon Elrod is a resident of the State of Georgia.

2.

Defendant Southeastern Paper Group, Inc. (hereinafter “Defendant Southeastern”) is a domestic for profit corporation authorized to do business in the State of Georgia with a principle place of business in Spartanburg South, Carolina, Georgia and may be served by service of the Summons and Complaint upon registered agent for service of National Registered Agents, Inc., 289 South Culver Street, Lawrenceville, Gwinnett County, Georgia 30045.

3.

Defendants XYZ Corp. Nos. 1 through 19, whose identities and whereabouts are currently unknown, are subject to the jurisdiction and venue of this Court. Defendants XYZ Corp. Nos. 1 through 19 will be named and served with Summons and Complaint once their respective identities are revealed.

4.

Defendant James Valentine is a citizen and resident of the State of Florida, whose last known residence is 11423 Kittrell Lane, Whitehouse, Duval County, Florida 32220. Defendant Valentine is subject to the jurisdiction of this Court and may be served by personal service of the Summons and Complaint at that address.

5.

Defendant Trillium Drivers Solutions, Inc. (hereinafter "Defendant Trillium") is a foreign for profit corporation authorized to do business in the State of Georgia with a principle place of business in Kalamazoo, Kalamazoo County, Florida and may be served by service of the Summons and Complaint upon registered agent for service of Corporation Service Company, 1201 Hays Street, Tallahassee, Leon County, Florida 30045.

6.

Venue as to Defendants is proper in Chatham County, Georgia.

7.

Defendant Valentine is subject to jurisdiction and venue under the Non-Resident Motorist Act and/or the Georgia Long Arm Statute.

8.

Venue as to Defendants is proper in Chatham County, Georgia.

9.

On March 18, 2019, Plaintiff Elrod was driving his 2006 Chevrolet 1500 in a prudent and careful manner in Georgia.

10.

At or about that same time, Defendant Valentine was driving a white 2014 panel truck owned by Defendant Southeastern Paper Group, Inc. and/or Defendant XYZ Corp. Nos 1 through 19 (hereinafter “the corporate Defendants”) when Defendant Valentine negligently, recklessly, carelessly and unlawfully operated said vehicle so as to cause it to collide with Plaintiff’s vehicle.

11.

At all relevant times, Defendant Valentine owed certain civil duties to Plaintiff, and, notwithstanding those duties, Defendant Valentine did violate them.

12.

Defendant violations of the aforementioned duties of care constitute negligence and negligence *per se*.

13.

At all relevant times, Defendant Valentine was an agent and/or employee of the corporate Defendants.

14.

At the time of the wreck in question, Defendant Valentine was acting within the course and scope of his employment and/or agency relationship with the corporate Defendants. The corporate Defendants are vicariously liable for the negligence of Defendant Valentine under the doctrine of *respondeat superior*.

15.

At all relevant times the corporate Defendants negligently hired, trained, and retained Defendant Valentine.

16.

The corporate Defendants negligently entrusted the vehicle to Defendant Valentine.

17.

As a direct and proximate result of the aforesaid negligence and breaches of duty by Defendant Valentine, Plaintiff Brandon Elrod suffered substantial injuries and damages including medical and other necessary expenses, mental and physical pain and suffering due to the injuries to his body and nervous system, personal inconvenience, plus an inability to lead a normal life. As a result of the subject collision, Plaintiff Brandon Elrod has incurred in excess of **\$381,740.29** in past medical expenses, as well as any lost wages incurred by Plaintiff as a result of subject crash.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

(a) That Process and Summons issue, as provided by law, requiring Defendants to appear and answer Plaintiff's Complaint;

(b) That service be had upon Defendants as provided by law;

(c) That Plaintiff have and recover general damages from such Defendants, as the jury deems are liable to Plaintiff, and in such an amount as the jury deems just and appropriate to fully and completely compensate Plaintiff for all of her injuries and pain and suffering, mental, physical, and emotional, past, present, and future;

(d) That Plaintiffs have and recover from Defendant, special damages for past and future medical expenses and loss of income in the past and future in such an amount as shall be proven at trial;

(e) That this matter be tried to a jury;

(f) That all costs be cast against the Defendants;

(g) For such other and further relief as this Court deems just and appropriate.

This 25th day of February, 2021.

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
Phone: (912) 443-1036
Fax: (912) 443-1192
mhilt@forthepeople.com

/s/Matthew L. Hilt
Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff

THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION
	)	FILE NO: <u>STCV20-00267</u>
)	
SOUTHEASTERN PAPER GROUP, INC.;)	
<u>TRILLIUM DRIVERS SOLUTIONS, INC.;</u>)	
and XYZ CORPORATIONS (NOS 1-19);)	
and JAMES E. VALENTINE,)	
)	
Defendants.)	

RULE 5.2 CERTIFICATE OF SERVICE

This is to certify that pursuant to Uniform Court Rule 5.2, I have served upon all Defendants in the foregoing matter with a copy of the following:

1. PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT TRILLIUM DRIVERS SOLUTION;
2. PLAINTIFF'S FIRST INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT TRILLIUM DRIVERS SOLUTION;

This 25th day of February, 2021.

/S/Matthew L. Hilt
Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
Phone: (912) 443-1036
Fax: (912) 443-1192
mhilt@forthepeople.com

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

BRANDON ELROD,

Plaintiff,

vs.

**SOUTHEASTERN PAPER GROUP,
INC.; TRILLIUM DRIVERS
SOLUTIONS, INC.; and XYZ
CORPORATIONS (NOS 1-19); and
JAMES E. VALENTINE,**

Defendants.

CIVIL ACTION FILE NO.

STCV20-00267

RULE 5.2 CERTIFICATE OF SERVICE

This is to certify that pursuant to Uniform Court Rule 5.2, due and legal service, pursuant to O.C.G.A. § 9-11-5, I have served upon all counsel of record in the foregoing matter a copy of the following:

1. Plaintiff's Second Request for Admissions to Defendant James E. Valentine; and
2. Plaintiff's Second Set of Interrogatories and Request for Production of Documents to Defendant James E. Valentine.

Said service was made via statutory electronic service as follows:

Craig P. Terrett
J. Robb Crusier
Alexander Patorgis
Crusier, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP
Meridian II, Suite 2000
275 Scientific Drive
Peachtree Corners, GA 30092
cterrett@cmlawfirm.com
zpatorgis@cmlawfirm.com
Attorneys for Defendant Valentine

Gwendolyn D. Havlik
Drew Eckl & Farnham, LLP
303 Peachtree Street, NE, Suite 3500
Atlanta, GA 30308
ghavlik@deflaw.com
Attorneys for Southeastern Paper Group, Inc.

Hugh M. Worsham, Jr.
Worsham, Corsi, Scott & Dobur
P.O. Box 674027
Marietta, GA 30006
hworsham@progressive.com
Attorneys for Progressive

This 26th day of February, 2021.

MORGAN & MORGAN
25 Bull Street, Suite 400
Savannah, Georgia 31401
T: (912) 443-1020
F: (912) 443-1180
mhilt@forthepeople.com

/S/Matthew L. Hilt

Matthew L. Hilt
Georgia State Bar No. 355405
Attorney for Plaintiff



In The State Court of Chatham County

133 Montgomery Street, Room 501, Savannah, GA 31401

www.statecourt.org • Phone (912) 652-7224 • FAX (912) 652-7229 • clerk@statecourt.org

BRANDON ELROD

Plaintiff

STCV20-00267

Case Number

Vs

SOUTHEASTERN PAPER GROUP, INC.,
TRILLIUM DRIVERS SOLUTIONS, INC., and
JAMES VALENTINE

Defendant

Address of Defendant

5555 GULL ROAD
SUITE 300
KALAMAZOO, MI 49048

SUMMONS

TO THE ABOVE NAMED DEFENDANT: TRILLIUM DRIVERS SOLUTIONS, INC.

Defendant's Address Registered Agent Corporation Service Co., 1201 Hays St., Tallahassee, FL 32301

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff's Attorney, whose name and address is:

MATTHEW L. HILT
MORGAN & MORGAN
25 BULL STREET, SUITE 400
SAVANNAH, GEORGIA 31401

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20____

/s/ Larry Perkins

Deputy Clerk, State Court of Chatham County

Brian K. Hart
CLERK OF COURT
State Court of Chatham County

Not valid until
signed and sealed
by a Deputy Court
Clerk

PRINT

RETURN OF SERVICE

State of Georgia

County of Chatham

State Court

Case Number: STCV20-00267

Plaintiff:

BRANDON ELROD

vs.

Defendant:

**SOUTHEASTERN PAPER GROUP, INC., TRILLIUM DRIVERS SOLUTIONS, INC., AND
JAMES VALENTINE**

For:

MORGAN & MORGAN, P.A.

Received by KD PROCESS on the 2nd day of March, 2021 at 10:19 am to be served on **TRILLIUM DRIVERS SOLUTIONS, INC. REGISTERED AGENT, CORPORATION SERVICE CO., 1201 HAYS STREET, TALLAHASSEE, FL 32301.**

I, Christopher S. Kady, do hereby affirm that on the 2nd day of March, 2021 at 11:00 am, I:

served a **CORPORATE, PARTNERSHIP, ASSOCIATION OR GOVERNMENT SERVICE** by delivering a true copy of the **SUMMONS AND COMPLAINT** with the date and hour of service endorsed thereon by me, to: **Ronnie Long as Service Liaison** authorized to accept service, of the within named corporation, at the address of: **1201 HAY STREET, TALLAHASSEE, FL 32301** on behalf of **TRILLIUM DRIVERS SOLUTIONS, INC.**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 30, Sex: F, Race/Skin Color: White, Height: 5'7", Weight: 140, Hair: Blonde, Glasses: Y

I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served.

"Under penalties of perjury, I declare that I have read the foregoing document and that the facts in it are true" F.S. 92.525. NOTARY NOT REQUIRED PURSUANT TO FS 92.525



Christopher S. Kady
Process Server #287

**KD PROCESS
2957 CAPITAL PARK DRIVE
SUITE # 7
TALLAHASSEE, FL 32301
(850) 545-3452**

Our Job Serial Number: KDY-2021007927